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5 IN THE UNITED STATES DISTRICT COURT  
6 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
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8 MAILLIARD LUCIEN KING,  
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10 Plaintiff,

11 vs.

12 MENLO PARK POLICE  
DEPARTMENT, et al.,

13 Defendants.  
14

No. C 04-5455 TEH (PR)

ORDER DENYING APPLICATION  
TO PROCEED *IN FORMA*  
*PAUPERIS*

(Docket No. 16)

15 On May 8, 2008, Plaintiff filed an application to proceed *in forma pauperis* in the  
16 above-titled civil rights action brought under 42 U.S.C. § 1983. However, the Court  
17 dismissed this case on January 4, 2005. The docket reflects that on February 3, 2005, the  
18 Court denied Plaintiff's motion for reconsideration and denied Plaintiff's request for  
19 leave to proceed in forma pauperis "because he has had three or more prior prisoner  
20 actions dismissed by this court on the grounds that they are frivolous, malicious, or failed  
21 to state a claim upon which relief may be granted." (Docket No. 7.) Therefore, Plaintiff's  
22 application is DENIED. (Docket No. 16.)

23 **IT IS SO ORDERED.**

24  
25 DATED: 05/21/08



26 THELTON E. HENDERSON  
United States District Judge  
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